

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 1
FOR THE REGULAR MEETING OF
MONDAY, NOVEMBER 3, 2003**

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEM
RESOLUTION:

ITEM-S400: Ballot Proposal for the March 2, 2004 Election, Amending the City Charter, Section 94.4, Relating to "Construction Manager at Risk."

(See City Manager Report CMR-03-209, and memorandum from Councilmember Madaffer dated 10/21/2003.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2004-489)

Directing the City Attorney to prepare an ordinance for City Council consideration to place a proposal on the March 2, 2004 ballot, amending the San Diego City Charter to provide for the construction of public works pursuant to the "Construction Manager at Risk" delivery method, in substantially the following form:

SEC. 94.4 Construction Manager At Risk Contracts

Notwithstanding any provisions of this Charter to the contrary, the City is not prohibited from awarding contracts for the construction of public works using a combination of: (1) design review and management services; and (2) construction and construction management services procured from a single person or entity for a guaranteed maximum price pursuant to a process of competitive negotiation, provided the process of competitive negotiation is conducted as may otherwise be required by this Charter or the Municipal Code. The City Council shall establish by ordinance guidelines for the award, use, and evaluation of such construction manager at risk contracts, and may set an amount below which the City Manager may award such contracts.

**RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S
RECOMMENDATION:**

On 10/22/2003, RULES voted 5 to 0 to approve the "Construction Manager at Risk" ballot proposal and direct the City Attorney to prepare the Charter amendment language with the goal of docketing the item at the full City Council November 3, 2003. (Councilmembers Peters, Maienschein, Madaffer, Inzunza, and Mayor Murphy voted yea.)